

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
WESTERN DIVISION

FILED  
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U.S. DISTRICT COURT  
N.D. OF ALABAMA

JUNE ELIZABETH BARNETT, *et al.*,

*Plaintiffs,*

v.

GENERAL MOTORS ACCEPTANCE  
CORPORATION,

*Defendant.*

Civil Action Number  
CV-99-C-1231-W

ENTERED  
OCT 30 2000

MEMORANDUM OPINION

Plaintiffs stipulate that the United States Bankruptcy Code preempts their Alabama state law claims of invasion of privacy. These claims are DISMISSED, with prejudice.

Plaintiff Sheba Rayburn stipulates that she signed a Reaffirmation Agreement with Defendant and that all of her claims are therefore dismissed. Plaintiff Rayburn's claims are DISMISSED, with prejudice.

Plaintiffs' remaining claims that Defendant violated the stay and discharge injunctions of the Bankruptcy Court are within the Bankruptcy Court's jurisdiction. The court whose orders have been defied must entertain the contempt actions. *Pereira v. First North Am. Nat'l Bank*, 223 B.R. 28, 31 (Bankr. N.D. Ga. 1998) (citing *Klett v. Pim*, 965 F.2d 587, 590-91 (8th Cir. 1992); *Lubrizol Corp. v. Exxon Corp.*, 871 F.2d 1279, 1290 (5th Cir. 1989)).

Therefore, by separate order, these remaining claims will be DISMISSED, without prejudice, to the right of Plaintiffs to pursue their claims in Bankruptcy Court.

Done this 27<sup>th</sup> day of October, 2000.

A handwritten signature in black ink, appearing to read "U.W. Clemon", written over a horizontal line.

CHIEF UNITED STATES DISTRICT JUDGE  
U.W. CLEMON